

**AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE**

Index # 07-cv-6723

Purchased/Filed: November 1, 2007

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT

*Richard Loos*

Plaintiff

against

*Comfort Inns, Inc. and Choice Hotels International, Inc.*

Defendant

STATE OF NEW YORK  
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on November 15, 2007, at 2:00 p.m., at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed

Third-Party Summons in a Civil Action and Third-Party Complaint

on

Rondavel Management Corp, the

Defendant in this action, by delivering to and leaving with Donna Christie,

AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 2 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40 dollars; That said service was made pursuant to Section 306 Business Corporation Law.

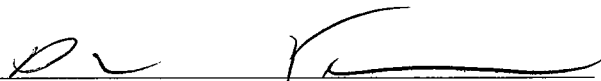
Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 38 Approx. Wt: 145 Approx. Ht: 5'5"

Color of skin: White Hair color: Blonde Sex: F Other: \_\_\_\_\_

Sworn to before me on this

20th day of November, 2007



DONNA M. TIDINGS

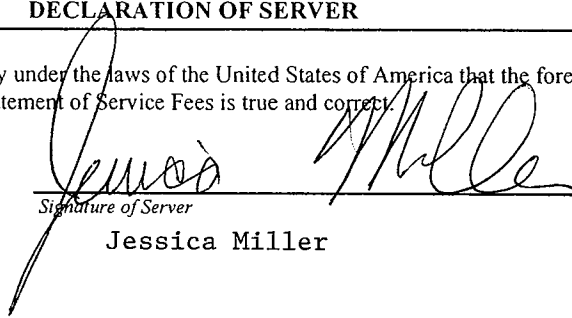
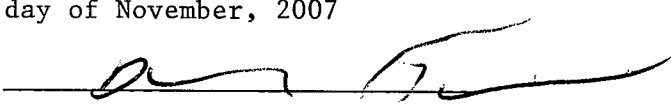
NOTARY PUBLIC, State of New York  
No. 01TI4898570, Qualified in Albany County  
Commission Expires June 15, 2011



Jessica Miller

Invoice/Work Order # SP0709571

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <div style="text-align: right;">11/15/07 at 2:00pm</div>	
NAME OF SERVER <div style="text-align: center;">Jessica Miller</div>	TITLE <div style="text-align: center;">Process Server</div>	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the third-party defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  <input checked="" type="checkbox"/> Other (specify): by serving Donna Christie, clerk, NYS Secretary of State under Section 306BCL, Female, White, Blond Hair, 38yrs, 146lbs, 5'5		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>11/23/07</u> Date</p> <div style="text-align: center;">             Signature of Server            Jessica Miller         </div> <div style="text-align: center; margin-top: 10px;">           Address of Server            283 Washington Ave            Albany NY 12206         </div> <p>Sworn to me this 23rd day of November, 2007</p> <div style="text-align: center; margin-top: 20px;">   <b>DONNA M. TIDINGS</b>  <b>Notary Public, State of New York</b>  <b>No. 01TI4898570</b>  <b>Qualified in Albany County</b>  <b>Commission Expires June 15, 2011</b> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.